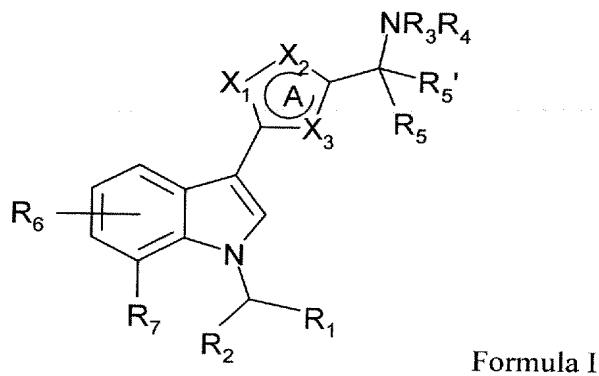


Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) An (indol-3-yl)-heterocycle ~~derivative~~ having the general Formula I



wherein

A represents a 5-membered aromatic heterocyclic ring, wherein X₁, X₂ and X₃ are independently selected from N, O, S and CR;

R is H or (C₁₋₄)alkyl; or

R, when present in X₂ or X₃, may form together with R₃ a 5-8 membered ring;

R₁ is a 5-8 membered saturated carbocyclic ring, optionally containing a heteroatom selected from O and S;

R₂ is H, CH₃ or CH₂-CH₃; or

~~R₂ is joined together with R₇ to form a 6-membered ring, optionally containing a heteroatom selected from O and S, and which heteroatom is bonded to the 7-position of the indole ring;~~

R₃ and R₄ are independently H, (C₁₋₆)alkyl or (C₃₋₇)cycloalkyl, the alkyl groups being optionally substituted with OH, (C₁₋₄)alkyloxy, (C₁₋₄)alkylthio, (C₁₋₄)alkylsulfonyl, CN or halogen; or

R_3 together with R_4 and the N to which they are bonded form a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen; or

R_3 together with R_5 forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen; or

~~R_3 together with R, when present in X_2 or X_3 , forms a 5-8 membered ring;~~

R_5 is H or (C₁₋₄)alkyl; or

R_5 together with R_3 forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, (C₁₋₄)alkyloxy- (C₁₋₄)alkyl, or halogen;

R_5' is H or (C₁₋₄)alkyl;

R_6 represents 1-3 substituents independently selected from H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN and halogen;

R_7 is H, (C₁₋₄)alkyl, (C₁₋₄)alkyloxy, CN or halogen; or

~~R_7 is joined together with R_2 to form a 6-membered ring, optionally containing a further heteroatom selected from O and S, and which heteroatom is bonded to the 7 position of the indole ring; or a pharmaceutically acceptable salt thereof.~~

2. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R_2 is H or is joined together with R_7 to form a 6-membered ring, optionally containing a heteroatom selected from O and S, and which atom is bonded to the 7 position of the indole ring.

3. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R, R_5 , R_5' and R_6 are H.

4. (Currently Amended) The (indol-3-yl)-heterocycle derivative of claim 1, wherein R_1 is cyclohexyl or tetrahydropyranyl.

5. (Currently Amended) The (indol-3-yl)-heterocycle ~~derivative~~ of claim 1 where the heterocycle A is 1,2,4-oxadiazole (X₁ is N, X₂ is O, X₃ is N), 1,2,4-thiadiazole (X₁ is N, X₂ is S, X₃ is N) or thiazole (X₁ is S, X₂ is CR, X₃ is N).

6. (Currently Amended) The (indol-3-yl)-heterocycle ~~derivative~~ of claim 1 which is selected from:

- 7-Chloro-3-(5-{[N-ethyl-N-(2-methoxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-{5-[(pyrrolidin-1-yl)methyl]-[1,2,4]-thiadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(5-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(4-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(4-{[N-(2-methoxyethyl)-N-methylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole; and
- 7-Chloro-3-{5-[(2,2-dimethyl-pyrrolidin-1-yl)methyl]-[1,2,4]oxadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;

or a pharmaceutically acceptable salt thereof.

7. (Cancelled)

8. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle ~~derivative~~ of claim 1 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

9. (Cancelled)

10. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 1.

11. (Withdrawn) The method of claim 10, wherein the pain is selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis.

12. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle derivative of claim 5 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

13. (Currently Amended) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle derivative of claim 6 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

14. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 5.

15. (Withdrawn) A method of treatment of pain comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 6.